

LS 5-540A

9 APR 1955

The Honorable
The Attorney General
Department of Justice
Washington 25, D. C.

Dear Mr. Attorney General:

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You will recall that the Director wrote you on October 28, 1954, asking your opinion whether the prosecution of [] a former employee of this Agency, was warranted or feasible in view of the classified nature of his activities for this Agency. On November 24, 1954, Mr. Warren Olney, III, Assistant Attorney General, wrote Mr. Lawrence R. Houston, General Counsel of this Agency, a letter containing a careful analysis of the various violations of Title 18 of the United States Code involved in [] activities and of the probable evidence that would be produced in the event of his prosecution. Mr. Olney concluded that prosecution was warranted and feasible only if this Agency had no objection to the probability of a disclosure during the trial of the nature of [] duties and work, and consequently, Mr. Olney assumed, of the nature of the project on which he was working. Mr. Olney asked the Director to make a final determination of the security aspects of the case.

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After a careful review of the entire case based on the analysis given us by Mr. Olney, I have determined that in this instance the desirability of enforcement of the law outweighs the detriment which would result from the disclosure of information probably involved in prosecution. The case of [] is, therefore, referred to the Department of Justice for such action as may be appropriate. If we can be of further assistance, please call our General Counsel's Office.

Sincerely,

SIGNED

OGC:LPH:jeb
cc: DCI (2)

DD/P

I&R/DDP

Director of Security
OGC

C. P. Cabell
Lieutenant General, USAF
Acting Director

OGC Has Reviewed

NOTE SECRET MEMO

E/R File

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